LAW AND PARLIAMENTARY AFFAIRS SECRETARIAT

NOTIFICATION

No. LAW 232 LCR 1972 Bangalore dated 30th March/3rd April 1973.

The Governor of Mysore is pleased to order that the accompanying notification No. S. O. 774 (E) declaring the Commonwealth of Australia to be a Convention Country for all the provisions of the Patents Act, 1970 (39 of 1970) which has been published in the *Gazette of India*, Extraordinary, Part II, Section 3, sub section (ii) dated the 29th December 1972 be republished in the *Mysore Gazette*, for general information.

H. SUBBA RAO,

Under Secretary to Government,

2 *Department of Law and Parliamentary Affairs.*

GOVERNMENT OF INDIA

MINISTRY OF INDUSTRIAL DEVELOPMENT

NOTIFICATION

New Delhi, the 29th December, 1972.

S. O. 774 (E).—Whereas the fulfilment of arrangements with the Commonwealth of Australia, which affords to applicants for patents in India or to citizens of India similar privileges as are granted to its own citizens in respect of the grant of patents and the protection of patent rights, it is necessary so to do.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 133 of the Patent Act, 1970 (39 of 1970), the Central Government hereby declares the Commonwealth of Australia to be a convention country for all the provisions of the Act.

2. This notification shall be deemed to have come into force with effect from the 20th April, 1972.

Explanatory Memorandum

The Patents Act, 1970 was brought into force on the 20th April, 1972. Under Section 133 (1) of that Act, the Central Government is empowered to declare a country as a convention country with a view to the fulfilment of a treaty, convention or arrangement with that Country By notification No. S. O. 302 (E). dated the 20th April, 1972. United Kingdom, Newzealand, Eire, Ceylon and Canada were declared as convention countries under section 133 (1) of the Patents Act, 1970 from the date of commencement of that Act so as to continue the existing arrangement with these countries without any break. A number of applications for patents originating from Australia and claiming priority on the basis of the corresponding applications made in Australia in pursuance of sub-section (4) of section 7-A of the Indian Patents and Design Act, 1911, are pending since the Patents Act, 1970 came into force. Australia having already declared India as a convention country, it is appropriate that we do likewise. In consequence, the priority claimed for such applications will become allowable and the interests of the persons, who have made these applications, will not be adversely affected.

It is certified that the issue of the notification declaring Commonwealth of Australia as a convention country with effect from the 20th April, 1972 will not adversely affect the interests of any other party.

[No. F. 21 (1)-SP&D/72.]

R. K. TALWAR, Jt. Secy.

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